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United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BOBBY HOOD,

Defendant.

CASE NO. 1:21-CR-00291-JLT-SKO

STIPULATION TO VACATE STATUS
CONFERENCE AND SET CASE FOR CHANGE
OF PLEA AND ORDER THEREON

Court: Hon. Sheila K. Oberto

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a status conference on March 29, 2023.
2. By this stipulation, defendant now moves to vacate the status conference and to **set the case for a change of plea hearing on April 17, 2023 at 10:00 a.m.** before the Hon. Jennifer L. Thurston. The proposed change of plea date represents the earliest date that all counsel are available, taking into account counsels' schedules, defense counsels' commitments to other clients, and the court's available dates for a change of plea hearing. In addition, the public health concerns cited by General Orders 611, 612, 617, 618, and 620 and subsequent general orders presented by the evolving COVID-19 pandemic, an ends-of-justice delay is particularly apt in this case because counsel or other relevant individuals have been encouraged to telework and minimize personal contact to the greatest extent possible.

3. The parties agree and stipulate, and request that the Court find the following:

1 a) The discovery associated with this case includes investigative reports and related
2 documents in electronic form, including reports from several law enforcement agencies, photos,
3 and body camera footage. All of this discovery has been either produced directly to counsel
4 and/or made available for inspection and copying.

5 b) Counsel for the defendants believes that failure to grant the above-requested
6 continuance would deny him/her the reasonable time necessary for effective preparation, taking
7 into account the exercise of due diligence.

8 c) The government does not object to the continuance.

9 d) Based on the above-stated findings, the ends of justice served by continuing the
10 case as requested outweigh the interest of the public and the defendant in a trial within the
11 original date prescribed by the Speedy Trial Act.

12 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
13 et seq., within which trial must commence, the time period of March 29, 2023 to April 17, 2023,
14 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it results
15 from a continuance granted by the Court at defendant's request on the basis of the Court's
16 finding that the ends of justice served by taking such action outweigh the best interest of the
17 public and the defendant in a speedy trial.

18 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
19 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
20 must commence.

21 IT IS SO STIPULATED.

22 Dated: March 17, 2023

PHILLIP A. TALBERT
United States Attorney

23
24 By: /s/ JUSTIN J. GILIO
25 JUSTIN J. GILIO
26 Assistant United States Attorney

27 Dated: March 17, 2023

/s/ Harry Drandell
Attorney for Defendant Bobby Hood

ORDER

IT IS SO ORDERED.

DATED: 3/17/2023

Sheila K. Oberto
HONORABLE SHEILA K. OBERTO
United States Magistrate Judge